

Application to Remove a Private Tree – 277 Margueretta Street

Date: September 28, 2023

To: Toronto and East York Community Council

From: Director, Urban Forestry, Parks, Forestry and Recreation

Wards: Davenport - 9

SUMMARY

This report requests that Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located on the boundary line between the properties of 275 and 277 Margueretta Street. The applicant indicates the reason for requesting removal of the tree is to accommodate the replacement of the garage.

The black walnut (*Juglans nigra*) tree in question measures 63 cm in diameter. The City's Tree By-laws do not support the removal of this tree as it is healthy and maintainable. Community Council has delegated authority from City Council to make a final decision as to whether a permit may be issued when an applicant wishes to appeal the denial of a permit of a tree protected under the By-laws.

RECOMMENDATIONS

The Director, Urban Forestry, Parks, Forestry and Recreation recommends that:

1. Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located on the boundary line between the properties of 275 and 277 Margueretta Street.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

There is no decision history related to this tree removal permit application.

COMMENTS

Parks, Forestry and Recreation received an application for a permit to remove one privately owned tree located in the rear yard on the boundary line between the properties of 275 and 277 Margueretta Street. The black walnut tree in question measures 63 cm in diameter. The applicant indicates the reason for requesting removal of the tree is to accommodate the replacement of the garage.

The arborist report that accompanied the application described the tree to be in poor condition. The report noted that the tree has a large unhealed vertical wound along the main trunk that may become a trunk cavity due to the poor compartmentalization of this wound causing the tree to be structurally compromised. The arborist report also noted that the tree's canopy is overhanging the adjacent laneway.

City staff inspected the tree and at the time of inspection determined that it is healthy and maintainable. The cracking observed on the trunk of the tree appears to be shallow and there is visible response growth along the edge of the crack. There were no visible signs of cavities from the ground. Branches overhanging the laneway can be addressed through pruning in accordance with good arboricultural practices and the performance of routine tree maintenance which will prevent and reduce the risk from falling branches respectively.

Given the presence of a functional garage on site, a replacement garage could be designed according to the existing footprint, to allow for the retention of the tree. Staff requested altered design and construction methods to allow for retention with permissible injury. However the applicant did not agree to this solution.

The City's Tree By-laws do not support the removal of this tree as it is healthy and maintainable. Through the inspection and review of the arborist report, a permit to remove the tree was denied by Parks, Forestry and Recreation. Community Council has delegated authority from City Council to make a final decision as to whether a permit may be issued when an applicant wishes to appeal the City's decision to deny a tree permit.

As required under *Section 813-19, of City of Toronto Municipal Code, Chapter 813, Trees, Article III*, a notice of application sign was posted on the subject property for the minimum 14-day period in order to provide an opportunity for comment by the community. No comments were received in support of removal nor in opposition to the application to remove the tree in question.

The City has reaffirmed its canopy target of 40 per cent by 2050. One approach to support achieving this target is to protect healthy trees from injury and removal whenever possible.

Protecting the urban forest is critical in building climate resilience as urban centres continue to face increasing development, impacts due to climate change in the form of extreme weather events, and other natural threats such as invasive pests. Toronto's urban forest provides \$55 million in ecosystem services and benefits annually. Services such as air pollution removal, reduction of storm water runoff, and carbon sequestration all contribute to climate resilience. Protecting and expanding tree cover helps to mitigate exposure to extreme heat events through shade and transpiration.

A sustainable and expanding urban forest also supports the City of Toronto's goals to improve quality of life and well-being of its residents. A higher density of trees in a neighbourhood has been shown to significantly improve physical and mental well-being by reducing blood pressure, decreasing stress levels and by promoting physical activity. Economic benefits include enhancements to property values, increased tourism and consumer spending.

In keeping with the City's Strategic Forest Management Plan, Toronto's Official Plan, Toronto's Biodiversity Strategy, and the Tree Protection By-laws, the black walnut tree on the boundary line between the properties of 275 and 277 Margueretta Street is a valuable part of the urban forest, providing numerous aesthetic, social and economic benefits to the property owner and the local community and therefore should not be removed.

Parks, Forestry and Recreation recommends Toronto and East York Community Council deny the request for a permit to remove one privately owned tree located on the boundary line between the properties of 275 and 277 Margueretta Street. Should Toronto and East York Community Council grant this request for tree removal, the following recommendation may be adopted, in accordance with the City's Tree By-law permit requirements:

- 1) Toronto and East York Community Council approve the request for a permit to remove one privately owned tree located on the boundary line between the properties of 275 and 277 Margueretta Street, and require the applicant to provide five replacement trees which can be achieved in a combination of on-site planting and cash-in-lieu of planting to the satisfaction of the General Manager, Parks, Forestry and Recreation.

CONTACT

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SIGNATURE

Kim Statham
Director, Urban Forestry, Parks, Forestry and Recreation

ATTACHMENTS

Attachment 1: Figure 1 - Staff photograph of the black walnut tree on the boundary line between the properties of 275 and 277 Margueretta Street; February 16, 2023

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